



COMMONWEALTH OF KENTUCKY
ETHICS COMMITTEE OF THE KENTUCKY JUDICIARY
STATE CAPITOL

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FRANKFORT, KENTUCKY 40601-3489

ROBERT W. DYCHE, III
COURT OF APPEALS

STEPHEN P. RYAN
CIRCUIT COURT

B. M. WESTBERRY, CHAIRMAN
ATTORNEY

JAMES L. BOWLING
DISTRICT COURT

UHEL O. BARRICKMAN
ATTORNEY

JUDICIAL ETHICS OPINION JE-92

April 1, 1998

Issue: If a judicial candidate does not intend to solicit money, is it necessary to appoint a Committee? May the Treasurer and the Committee be the same person?

Answer: A Committee is only required by the Code if the judicial candidate intends to solicit money. Nothing in the Code prohibits the judicial candidate from appointing one person to serve as both Treasurer and Campaign Committee.

The Judicial Ethics Code only requires a Committee to be appointed by a judicial candidate if he or she intends to solicit money. If a candidate intends to use only his own money, no Committee need be appointed. This conclusion is mandated by the literal wording of the Code. Canon 7B.

The Code itself does not mention a Treasurer. And, nothing in the Code states that these two different functions cannot be performed by the same person. The statutes, however, may require otherwise. The Judicial Ethics Committee is not authorized to interpret the requirements of the election statutes.

A handwritten signature in dark ink, appearing to read "B.M. Westberry", written over a horizontal line.

B.M. Westberry
Chairman
The Ethics Committee of the
Kentucky Judiciary